

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 04-1124

Thomas Edward Watson,

Appellant,

v.

Lisa Clover,

Appellee.

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* Appeal from the United States
* District Court for the Western
* District of Missouri.

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* [UNPUBLISHED]

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Submitted: July 7, 2004
Filed: July 12, 2004

Before BYE, McMILLIAN, and RILEY, Circuit Judges.

PER CURIAM.

Thomas Watson appeals the district court's¹ order dismissing, for failure to state a claim, his civil action against his former state public defender. Having carefully reviewed the record, we conclude that dismissal was proper for the reasons the district court stated. See Polk County v. Dodson, 454 U.S. 312, 324-25 (1981)

¹The Honorable Nanette K. Laughrey, United States District Judge for the Western District of Missouri, adopting the report and recommendations of the Honorable William A. Knox, United States Magistrate Judge for the Western District of Missouri.

(public defenders performing traditional functions as counsel are not state actors); Dace v. Mickelson, 816 F.2d 1277, 1280-81 (8th Cir. 1987) (no liberty interest in conditional release unless interest is created by state statute); Johnson v. Missouri Bd. of Prob. & Parole, 92 S.W.3d 107, 113-114 (Mo. App. 2002) (Missouri does not by statute create liberty interest in conditional release).

Accordingly, we affirm. See 8th Cir. R. 47B.
